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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Sixteenth session

SUMMARY RECORD OF THE 332nd MEETING

Held at Headquarters, New York,
on Friday, 31 January 1997, at 10.15 a.m.

Chairperson: Ms. KHAN
later: Ms. BUSTELO GARCÍA DEL REAL
(Vice-Chairperson)

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WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE

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The meeting was called to order at 11.05 a.m.

WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE

1. After a discussion in which Ms. CARTWRIGHT, Ms. ESTRADA CASTILLO, Ms. GONZALEZ and Ms. SCHÖPP-SCHILLING took part, the CHAIRPERSON suggested that the Committee should begin its work with the consideration of the report of Working Group I.

Adoption of the report of Working Group I (CEDAW/C/1997/WG.I/WP.2 and Add.1)

CEDAW/C/1997/WG.I/WP.2/Add.1

2. The CHAIRPERSON invited the members of the Committee to consider the list of States parties whose reports would be considered at the Committee's seventeenth session.

3. Ms. SCHÖPP-SCHILLING wondered whether the Committee would be able to consider eight reports of States parties in addition to dealing with the work of the working groups. There seemed to be a conflict between the need to conduct a constructive dialogue with States parties and the need to carry out certain tasks in working groups. Much more attention should be paid to the concluding comments, since they constituted the final document issued by the Committee, and also formed the basis for the Committee's future working list for subsequent reports. Moreover, more time needed to be devoted to constructive dialogue with the States. She would therefore suggest that no more than seven reports be considered at the next session.

4. Ms. CARTWRIGHT said that, while she agreed that the Committee needed to improve the way in which it dealt with the concluding comments, the additional session for July 1997, and two sessions for each year thereafter, had been earmarked by States parties, for the purpose of dealing with the considerable backlog of reports. Therefore, since the Committee's first responsibility was to examine the reports of States parties the number of reports considered at the July session should be increased to 10. An additional initial report and an additional second periodic report or combined reports could be examined. In order to do such reports justice, the Committee should implement some of the proposals recommended by Working Group II, including the recommendation that, with respect to the concluding comments, time should be shared out appropriately amongst all the States parties' reports.

5. Ms. CORTI supported Ms. Cartwright's proposal, noting that since the General Assembly had acceded to the Committee's long-standing request for additional sessions, it was the Committee's duty to focus mainly on the consideration of States parties' reports in order to eliminate the backlog.

6. Ms. GONZÁLEZ said that the Committee should consider the possibility of taking up the initial and second periodic reports of Antigua and Barbuda, and the second and third reports of Argentina together. As far as the method of

work was concerned, it would be better now to establish regular timetables for meetings of the working groups.

7. Ms. QUEDRAOGO endorsed the proposal that the number of reports considered should be increased to 10. She suggested that other guidelines should be given to the States parties, instructing them to limit their interventions to summaries and answers to the questions of the Committee so that priority could be given to constructive dialogue.

8. Ms. FERRER GÓMEZ said that the number of reports should be maintained at the current level or even increased. At the next session, the Committee should focus exclusively on the consideration of reports. It was very important to receive the reports in due time so that Committee members could study them and come up with specific questions. She drew attention to an omission in the report of Working Group I, namely, that although a large number of States had ratified the Convention, they had never submitted reports to the Committee. The Working Group had suggested that the Secretary-General should insist on the need for such States to comply with their commitments and submit their reports.

9. Ms. JAVATE DE DIOS agreed with the view that the Committee should increase the number of State party reports taken up, given the fact that the General Assembly had granted a second annual session for the express purpose of dealing with the backlog of reports. Moreover, the Committee should spend more time on its concluding comments.

10. Ms. AOUIJ said that all the reports should be made available in the Committee's working languages and that higher priority should be given to initial reports.

11. Ms. BUSTELO GARCÍA DEL REAL said that 10 reports were perhaps too many. In her view, a maximum of nine reports, including one more periodic report, would be adequate to give the Committee time to prepare its concluding remarks and finish off the rest of its work.

12. Ms. ABAKA said due account should be taken of the fact that an increase in the number of reports to be considered would result in a corresponding increase in the workload of the pre-session working group.

13. The CHAIRPERSON said she would take it that the Committee agreed to take up 10 reports and that the Secretariat, in consultation with the Chairperson, would finalize the list of reports and ensure that there were fewer subsequent reports and more initial reports.

14. It was so decided.

15. The CHAIRPERSON invited the members of the Committee to consider the list of States parties whose reports would be considered at the Committee's eighteenth session.

16. Ms. GONZÁLEZ said the Permanent Mission of Mexico to the United Nations had informed her that, in principle, it would be submitting its third and fourth

periodic reports together. The dates scheduled for the submission of that country's reports should be maintained.

17. Ms. CARTWRIGHT said that the Committee should schedule the consideration of 10 reports, including at least one additional initial report and one additional periodic report.

18. Ms. ABAKA agreed with Ms. Cartwright's suggestion, but proposed further that the possibility should be left open to complete, at the following session, the adoption of any concluding comments which could not be completed at a given session.

19. Ms. CORTI said that the approach suggested by Ms. Abaka was in fact an established practice in other human rights treaty bodies.

20. Ms. TALLAWY said that the practice of other treaty bodies notwithstanding, it was always better to adopt the concluding comments at the end of the session in question.

21. Ms. ACAR said that the media attention focused on the Committee's work during its sessions would help to ensure the widest possible dissemination of States parties' reports and the Committee's concluding comments, if the latter were completed during the session in question.

22. The CHAIRPERSON said that she took it that the Committee agreed to consider 10 reports at its eighteenth session. In consultation with the Chairperson, the Secretariat would determine the list of States parties whose reports would be considered.

23. The report of Working Group I contained in document CEDAW/C/1997/WG.I/WP.2/Add.1, as orally revised, was adopted.

CEDAW/C/1997/WG.I/WP.2

24. Ms. ESTRADA CASTILLO, introducing the report of Working Group I contained in document CEDAW/C/1997/WG.I/WP.2, in the absence of the chairperson of the Working Group, noted that the Spanish version of the report was very poorly drafted and therefore difficult to understand. Moreover, it did not reflect the debate and conclusions of Working Group I.

Paragraph 2

25. Ms. SCHÖPP-SCHILLING said that Working Group I had concluded that there should be both a main and a back-up country rapporteur. The functions of the main rapporteur were to prepare the concluding comments and to seek additional information about the country in question, which she would present to the Committee in closed meeting. That information concerning the country rapporteurs and their functions should be incorporated in paragraph 2.

26. Ms. ESTRADA CASTILLO recalled that the Working Group had agreed that the main country rapporteur should also receive information from non-governmental organizations for communication to the Committee in closed meeting.

27. Ms. AOUIJ, supported by Ms. OUEDRAOGO, said that, while she agreed that country rapporteurs should receive information from non-governmental organizations, such information must be provided in the Committee's working languages. Where that was not done, the Secretariat should ensure that translations were made available in order to facilitate the consideration of the information by all members.

28. Ms. BUSTELO GARCÍA DEL REAL said that the proposal which had been made earlier in the session that Committee members should meet informally over lunch with representatives of non-governmental organizations discriminated against those members who spoke no English, since such informal meetings were usually conducted in English. The Committee should therefore devote all or part of a formal meeting at which interpretation services were available to consultations with the representatives of non-governmental organizations.

29. Ms. GONZÁLEZ sought clarification of the meaning of the last sentence of the Spanish version of paragraph 2. She was also of the view that the documents provided by non-governmental organizations, including information about their source, should be made available to all Committee members.

30. Ms. ESTRADA CASTILLO reiterated her view that the Spanish version of the report was virtually incomprehensible and should be redrafted.

31. Ms. Bustelo García del Real, Vice-Chairperson, took the Chair.

32. Ms. SCHÖPP-SCHILLING said that, based on the discussion so far, she wished to propose the following revision of draft paragraph 2:

> "In its discussion of concluding comments the Working Group described concluding comments as the most important communication of the Committee with the country concerned. After an exchange of views, the Working Group recommended that the Committee should maintain the current practice of one main country rapporteur with an additional back-up country rapporteur designated to prepare the concluding comment of the Committee with regard to each State party report. The expert nominated as the main country rapporteur would draft the comment and work in close collaboration with the back-up country rapporteur and the general rapporteur of the Committee. It was also recommended that the main country rapporteur should seek additional information about the country under discussion and present her findings as an introduction to the report in a closed session both for initial and subsequent reports. The concluding comment drafted thereafter would reflect the views expressed at the meetings during which the report was presented and not the view of the individual main or back-up rapporteur."

33. Ms. TALLAWY suggested that the country rapporteur should work not only with the general rapporteur of the Committee but also with the Secretariat, since new rapporteurs in particular might not be familiar with the language and format employed in United Nations documents. She also believed that the reference to the country rapporteur seeking additional information on her own should be deleted from the text.

34. Ms. CORTI supported the revision to the paragraph proposed by Ms. Schöpp-Schilling, but sought clarification of the role of the pre-session working group.

35. Ms. SCHÖPP-SCHILLING said that Working Group I had considered the practice whereby country rapporteurs introduced initial, but not subsequent, reports and made concluding comments. The Working Group had felt that a secondary function of the country rapporteur should be, in a closed meeting, to provide any additional information available before the country responded to the issues raised by the pre-session working group. The Committee thus needed to decide whether the country rapporteur should fulfil that additional function.

36. Ms. ESTRADA CASTILLO said that the Working Group had been of the view that the country rapporteur should introduce both initial and subsequent reports. Members often received last-minute information from non-governmental organizations in languages that not all members worked in. It would thus also be helpful for country rapporteurs to coordinate the receipt of such information and to synthesize it in an introductory statement before the country report was considered by the Committee. While that represented a new practice, it would broaden the information available.

37. The CHAIRPERSON said that there was thus a proposal that the country rapporteur, in addition to making a concluding comment, should introduce not only initial but also subsequent reports and that she should seek additional information and present it to the Committee. The rapporteur, in her concluding comment, should obviously reflect the Committee's views.

38. Ms. TALLAWY said that while there was no harm in the rapporteur presenting additional information, such information should not affect the concluding comment.

39. Paragraph 2, as orally amended, was adopted.

Paragraphs 3-5

40. Paragraphs 3-5 were adopted.

Paragraph 6

41. Ms. ESTRADA CASTILLO said that the "principal areas of concern" should not be addressed in the order of the articles of the Convention, but, rather, in accordance with the issues of primary concern in the country in question.

42. Ms. TALLAWY said that to the extent possible the Committee should seek to adopt comments of similar length for each State party, focus on the main obstacles to the advancement of women or implementation of the Convention, and confine itself to moderate language, avoiding such terms as "excellent" or "alarming".

43. Ms. CORTI said that the Committee should be flexible regarding the length of concluding comments, since some countries presented many more concerns than

others. Equally, the Committee should feel free to use stronger language where it was warranted.

44. Ms. SCHÖPP-SCHILLING agreed that the Committee's language should be more or less homogeneous, but that strong language should be used where appropriate. Other suggestions had emerged in the Working Group, to the effect that the Committee should always hold a closed meeting after its consideration of each State party's report to consider the general tenor of the concluding comment; that there should be reference to the Platform for Action, where a country had made commitments in that regard; and that there should always be a concluding paragraph on dissemination. Those points could be incorporated in a new, additional paragraph 7.

45. Ms. TALLAWY said that such a new paragraph should also reflect the need for balance in the Committee's consideration of issues relating to specific States parties. In that regard consideration of the content of the concluding comment in a closed meeting was very important.

46. Paragraph 6, as orally amended, was adopted.

47. The CHAIRPERSON said that a new, additional paragraph 7 would be drafted to incorporate the points raised by Ms. Schöpp-Schilling and Ms. Tallawy.

Paragraph 7

48. Ms. ESTRADA CASTILLO said that the second part of the second sentence, reading "and ensure that the advocacy role of such organizations was encouraged", was not clear and should be deleted. The practice of lunchtime meetings with non-governmental organizations was not adequate, as members speaking languages other than English could be left out. She noted the proposal that the rapporteur should compile information from non-governmental organizations. The Secretariat should also provide such organizations with a list of States parties whose reports were due to be considered, so that they could provide information to the experts in good time in their respective languages. The pre-session working group should be given responsibility for receiving reports from non-governmental organizations.

49. Ms. SCHÖPP-SCHILLING said that the Working Group had not reached consensus on relations with non-governmental organizations, so that paragraph 7 should reflect the need to continue consideration of the matter, which should thus appear on the provisional agenda for the seventeenth session. The Working Group had agreed that there should be lunchtime meetings with non-governmental organizations early in the seventeenth session to allow them to present information to Committee members. The paragraph should be amended to reflect the fact that no agreement had been reached on any other issues.

50. Ms. GONZÁLEZ agreed with Ms. Schöpp-Schilling on the wording of the paragraph. The Committee should insist that meetings with non-governmental organizations had interpretation services. Lastly, she noted that the United Nations Children's Fund was not the only agency that had had meetings with non-governmental organizations.

51. Ms. ABAKA questioned the practicability of some of the decisions proposed in paragraph 7. The paragraph presupposed that non-governmental organizations had a list of experts preparing concluding comments, or that the Secretariat would collect documents from non-governmental organizations and transmit them to the expert in question. Further consideration was needed.

52. Ms. TALLAWY agreed that the question of relationships with non-governmental organizations required further discussion at the seventeenth session. It would be useful to hold an informal meeting with non-governmental organizations, with interpretation services, early in the session, so that all members could benefit from their experience at the national level. Conversely, non-governmental organizations could report on what had happened in the Committee, so that there would be interaction between the Committee and non-governmental organizations at the international and national level.

53. Ms. LIN Shangzhen said that the Committee should not rush into defining its relationship with non-governmental organizations. Work was currently being undertaken at a system-wide level in the United Nations to examine the participation of non-governmental organizations in all areas of the Organization's work, including that of its treaty bodies. She proposed that the Committee should wait for the General Assembly to adopt a resolution on the relations between non-governmental organizations and United Nations treaty bodies before taking an appropriate decision on its own behalf.

54. The CHAIRPERSON said that the issue obviously required further discussion at the next session. A closed meeting should be organized, with interpretation, to enable Committee members to meet representatives of non-governmental organizations.

55. Ms. JAVATE DE DIOS said that the wording of the report should reflect the fact that the Committee welcomed the input of non-governmental organizations in its meetings and applauded their role in disseminating its work. It was not a question of whether non-governmental organizations should interact with the Committee, since they already did so, but simply a matter of regularizing their relationship. She endorsed the proposal by Ms. Lin Shangzhen to wait for the results of the broader discussion on non-governmental organizations at the level of the General Assembly.

56. Ms. ESTRADA CASTILLO said that States parties themselves freely admitted that they had made use of information provided by non-governmental organizations in compiling their reports. Paragraph 7 should spell out the Committee's intention to formalize its relations with non-governmental organizations. Moreover, non-governmental organizations should be informed well in advance which countries would be submitting reports to the Committee so that they could prepare the relevant material.

57. Ms. CORTI reminded the Committee that CEDAW was the only treaty body which had not regularized its relationship with non-governmental organizations.

58. The CHAIRPERSON said that a new paragraph reflecting the discussion would be submitted to the Committee in due course.

Paragraph 8

59. Ms. BARE said that the second sentence of paragraph 8, starting "Members should be able", should be deleted entirely. In the third sentence, beginning "It also recommended", the phrase "if possible" should be inserted after the word "regularization". The sentence beginning "The Working Group recommended that CEDAW participate fully" should be deleted in its entirety, and in the penultimate sentence, the phrase "could provide input into the elaboration of" should be replaced with the phrase "should take account of".

60. Ms. GONZÁLEZ said that the fourth sentence, beginning "It also recommended the regularization", was unclear. Not all treaty bodies had a mandate to make field visits, and in the case of those that did, such visits were dependent on the consent of the State party involved. Even if it were possible to make such visits, it would be unrealistic to expect Committee members to do so.

61. Ms. CORTI said that the field mission referred to in paragraph 8 had in fact been organized under the auspices of the United Nations Children's Fund (UNICEF) with the consent of the country involved. The paragraph should be recast to say that the Committee hoped that visits sponsored by UNICEF or any other specialized agency would continue. The reference to benefiting the host country added nothing and should be omitted.

62. The CHAIRPERSON suggested replacing the fourth sentence with the wording "The Committee welcomed the meeting of CEDAW and the Committee on the Rights of the Child."

63. Paragraph 8, as orally amended, was adopted.

Paragraph 9

64. Ms. GONZÁLEZ said that the recommendation that specialized agencies should seek to incorporate the principles of CEDAW into their work was perhaps too exacting. Such agencies had their own steering bodies which determined their principles and programmes. The third sentence of the paragraph should therefore be redrafted. In addition, she would appreciate clarification on the meaning of the last sentence.

65. Ms. BARE said that the concerns raised by Ms. González were points of style rather than substance. Specialized agencies should seek to incorporate the principles of CEDAW into their work only if their mandates clearly referred to the Convention on the Elimination of all Forms of Discrimination against Women. Similarly, the final sentence simply meant that the Committee might wish to identify a focal point for specialized agencies and other United Nations bodies whose mandates contained references to certain articles of the Convention, thereby enhancing the Committee's analysis of country reports in the light of additional input received.

66. Ms. CONNORS (Division for the Advancement of Women) said that the final sentence could be redrafted to read: "The Working Group recommended that the Committee should review its practice of nominating focal points for specialized agencies and other entities of the United Nations at its next session."

67. Ms. CORTI proposed that the word "review" in the final sentence should be replaced with the word "continue".

68. Ms. SCHÖPP-SCHILLING said that the word "review" should be retained because the whole concept of focal points had run into logistical problems. The issue needed further discussion.

69. The CHAIRPERSON suggested that the phrase "to develop its work" should be added to the end of the final sentence.

70. Ms. GONZÁLEZ proposed that the third sentence should be recast to read: "It recommended that specialized agencies, particularly those with field-level offices, keep in mind the principles and recommendations of CEDAW in defining their work programmes."

71. Paragraph 9, as orally amended, was adopted.

The meeting rose at 1.05 p.m.